

**MINUTES OF MEETING
THREE RIVERS
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Three Rivers Community Development District held Multiple Public Hearings and a Regular Meeting on August 31, 2022 at 3:00 p.m., at the Lookout Amenity Center, 76183 Tributary Drive, Yulee, Florida 32097.

Present were:

Liam O'Reilly	Chair
Mike Taylor	Vice Chair
Rose Bock	Assistant Secretary
Brad Odom	Assistant Secretary

Also present were:

Ernesto Torres	District Manager
Wes Haber	District Counsel
Bill Schaefer (via telephone)	District Engineer
Scott Wild (via telephone)	England-Thims & Miller, Inc. (ETM)
Gina Maloney	Castle Group Lifestyle Director
Bill Cameron	Castle Group

Residents also present were:

Drew Carson	Blake Stephens	John Bilanin	Adam Smaracheck
Robert Dibble	Michael Maples	Greg Nissen	Margaret Ojeda
Crystal Kelley	Adriana James	Kelly Murphy	Maureen Antonowski
Jim Dutt	Shane Parsons	Alex Parsons	Fay Petermen
Tina Register	Christie Stephens	Sherry Welka	Other Residents

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Torres called the meeting to order at 3:00 p.m. Supervisors Taylor, O'Reilly and Bock were present, along with newly appointed Supervisor Brad Odom, who was sworn in just prior to the meeting. Supervisor Kern was not present.

Mr. Torres and Mr. O'Reilly identified areas in the agenda for residents to make public comments. For the sake of time, Mr. O'Reilly stated he will stay after the meeting to address non-agenda and HOA related questions.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

Administration of Oath of Office to Newly Appointed Supervisor, Brad Odom (the following will be provided in a separate package)

Mr. Torres reiterated that the Oath of Office was administered to Mr. Brad Odom prior to the meeting. Mr. Torres and Mr. Haber discussed the following items:

- A. Guide to Sunshine Amendment and Code of Ethics for Public Officers and Employees**
- B. Membership, Obligations and Responsibilities**
- C. Financial Disclosure Forms**
 - I. Form 1: Statement of Financial Interests**
 - II. Form 1X: Amendment to Form 1, Statement of Financial Interests**
 - III. Form 1F: Final Statement of Financial Interests**
- D. Form 8B: Memorandum of Voting Conflict**

FOURTH ORDER OF BUSINESS

Consent Agenda

Mr. Torres presented the following:

- A. Consideration of Requisitions: Construction Account (*support documentation available upon request*)**
 - I. Number 112: Ring Power Corporation [\$132,081.62]**
 - II. Number 113: Vallencourt Construction Co., Inc. [\$608,831.90]**
 - III. Number 114: Bio-Tech Consulting, Inc. [\$2,930.00]**
 - IV. Number 115: Dominion Engineering Group, Inc. [\$18,363.00]**

B. Consideration of Requisitions: South Series Assessment (*support documentation available upon request*)

- I. Number 105: Avid Trails LLC [\$4,800.00]
 - II. Number 106: Gold Coast Land Management, LLC [\$112,500.00]
 - III. Number 107: Elbert Norman Brady Architects [\$5,000.00]
 - IV. Number 108: F&E Management [\$4,651.02]
 - V. Number 109: Avid Trails LLC [\$7,202.07]
 - VI. Number 110: Bio-Tech Consulting, Inc. [\$1,750.00]
 - VII. Number 111: Bio-Tech Consulting, Inc. [\$67.50]
 - VIII. Number 112: Kutak Rock LLP [\$450.00]
 - IX. Number 115: England-Thims & Miller, Inc., [\$11,454.00]
 - X. Number 116: England-Thims & Miller, Inc., [\$7,866.00]
 - XI. Number 117: England-Thims & Miller, Inc., [\$17,643.88]
 - XII. Number 118: England-Thims & Miller, Inc., [\$6,633.00]
 - XIII. Number 119: England-Thims & Miller, Inc., [\$3,598.00]
 - XIV. Number 120: England-Thims & Miller, Inc., [\$20,477.25]
 - XV. Number 121: England-Thims & Miller, Inc., [\$597.47]
 - XVI. Number 122: England-Thims & Miller, Inc., [\$10,322.25]
 - XVII. Number 123: England-Thims & Miller, Inc., [3,364.00]
 - XVIII. Number 124: England-Thims & Miller, Inc., [\$2,114.00]
 - XIX. Number 125: Crown Pools, Inc., [\$1,435.00]
 - XX. Number 126: Auld & White Constructors, LLC [\$871,929.63]
- The following Requisitions were additions to the agenda:
- Requisitions Number 113: England-Thims & Miller, Inc., [\$24,563.00]
 - Requisition Number 114: England-Thims & Miller, Inc., [\$35,529.00]

C. Ratification Items

- I. ECS Florida, LLC Proposal No. 35:19675-GPR for Subsurface Exploration and Geotechnical Engineering Services [Tributary Units 12 and 13 Ponds and VNB Areas]

II. England, Thims & Miller, Inc. (ETM), Work Authorization No 9, Edwards Road Watermain CEI Services

- **The following ratification items were additions to the agenda:**
 - **Requisition Number 112: Kutak Rock LLP [\$450.00]**
 - **Requisition Number 115: England-Thims & Miller, Inc., [\$11,454.00]**
 - **Requisition Number 116: England-Thims & Miller, Inc., [\$7,866.00]**
 - **Change Order No. 3: Increase of \$32,668.00 for General Construction for sidewalk revisions**
 - **Change Order No. 4: Decrease \$95,410.83 for asphalt materials**

Mr. Torres stated a Developer contribution will fund these expenses; they were not assessment items; the construction account is depleted.

On MOTION by Mr. O’Reilly and seconded by Mr. Taylor, with all in favor, the Consent Agenda Items, as presented, were approved and/or ratified.

FIFTH ORDER OF BUSINESS

Public Hearing on Adoption of Fiscal Year 2022/2023 Budget

A. Proof/Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2022-16, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023; Authorizing Budget Amendments; and Providing an Effective Date

Mr. Torres presented Resolution 2022-16 and the proposed Fiscal Year 2023 budget.

Mr. Haber stated two Public Hearings were noticed for today and, for efficiency’s sake, the Public Hearings for the Fiscal Year 2023 Budget and for the Assessments will be opened simultaneously; public comments on both agenda items should be made at this time.

On MOTION by Ms. Bock and seconded by Mr. O'Reilly, with all in favor, the Public Hearings to adopt the Fiscal Year 2023 Budget and to Impose Special Assessments for Fiscal Year 2023, were opened.

Mr. O'Reilly and Staff explained the following, in responses to resident questions:

- The Board follows the Uniform Special District Accountability Act in that the CDD complies with Chapter 189 and Chapter 190 of the Florida Statutes.
- On-roll assessments are typically related to individual property owners. Off-roll assessments are typically paid by Landowners and/or Developers. Another distinction between the two is platted and un-platted property. The County collects the on-roll assessments via the tax bill and the CDD bills and collects off-roll assessments directly to the Landowners/Developers. Assessments are based on the peculiar benefits that the property owners receive.
- After several property owners reported not receiving the Mailed Notice, it was noted that it might be an issue with the post office issue or a timing issue with the County updating its records. Mr. Torres stated he will meet with attendees after the meeting to review the Assessment Roll retrieved from the County's website.
- Individual budget line items are evaluated for competitive rates during the annual budget process; services are competitively bid. A 30-day termination clause is included in the CDD's contracts.

Mr. Haber discussed budget details regarding revenues, which shows Developer contribution funds, offset costs and help in keeping property owner assessments down.

- Potable water is being used until the system is converted to reclaimed water.
- The 55+ Community does not have its own CDD; it is part of this CDD and those residents will have access to the Lookout Amenity Center. It will have its own HOA and Amenity Center, which the home builder will construct, and will be funded and maintained with HOA dues.
- Regarding the Operation and Maintenance (O&M) assessments, due to the amenity maintenance addition, certain budget line items increased significantly for Fiscal Year 2023.

The majority of the residents in attendance wanted the record to reflect that they are not in favor of the 30% assessment increase. Mr. O'Reilly assured the attendees that typical

O&M assessment increases range from 3% to 5%. Another resident believed that the Builder Representatives indicated to buyers that CDD assessments would increase gradually.

Residents suggested the Board consider utilizing skill sets, shifting from wants to needs and deferring some of the kayak launch, special events and holiday decorations expenses.

Resident Crystal Kelley asked who she should speak to regarding the sod behind the pond banks, which is different from the type the builder installed. It was noted that Bahia sod was installed and, as other residents had the same issue, Mr. O'Reilly will inspect Lots 194, 195 and 66 to determine a course of action.

- The County will own and maintain the Tributary Amenity Center.
- Regarding whether Board Members are required to share conflicts of interest, residents were directed to Sunbiz.org to research if there may be a relationship with a CDD vendor. Supervisors are required to file a Financial Disclosure form with Management if there is a conflict. CDD Staff or the Board Members can be emailed if a specific vendor is in question.
- Regarding the request that vendors address algae in the ponds and gutters, areas with scalped dirt and construction debris, it was noted that Mr. O'Reilly met with the builders to address several issues. As debris remains an ongoing issue, he will have Mr. Molineaux coordinate frequent pond walks and, if necessary, engage a vendor to clean up debris and invoice the builder for this expense. The pond maintenance company was put on notice. There are no plans to install bubblers in the ponds at this time.
- A proposal for insect control will be presented at the next meeting.
Mr. O'Reilly asked that resident comments be specific to the budget. He reiterated that he will answer questions after the meeting or discuss any issues at the next meeting.
- Regarding special events, Developer contributions will cover the remaining expenses as the budget is underfunded. The salary is paid through the HOA dues. Events information will be in the newsletter.
- Regarding whether there is a mechanism to generate surplus fund balance and if funds can be used to offset deficits, at this time the deficient is Developer funded. Once the CDD is built out, the resident-controlled Board will typically add budget line items for contingency and to build capital reserves for future use.

➤ Regarding whether property owners can pay off their CDD assessments, the debt service portion of the overall assessment can be paid off; the amount is constant until the term of the loan is paid off. There is the ability to refund the bonds after 10 years to lower interest rates and reduce the debt service portion assessment. O&M assessments fluctuate and are incurred in perpetuity.

Mr. Haber explained the billing and assessment processes between individual property owners, the Developer and the Builder. The assessment amounts are based on benefit received.

The following change will be made to the Fiscal Year 2023 budget:

Page 3, Description Box: Update breakdown of "O&M Assessment per Unit" to match the \$1,215.93 amount on Page 16.

On MOTION by Mr. O’Reilly and seconded by Mr. Taylor, with all in favor, the Public Hearings to adopt the Fiscal Year 2023 Budget and to Impose Special Assessments for Fiscal Year 2023, were closed.

On MOTION by Ms. Bock and seconded by Mr. O’Reilly, with all in favor, Resolution 2022-16, Relating to the Annual Appropriations and Adopting the Budgets for the Fiscal Year Beginning October 1, 2022, and Ending September 30, 2023, as amended; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS

Public Hearing to Hear Comments and Objections on the Imposition of Special Assessments for Operations and Maintenance for Fiscal Year 2022/2023, Pursuant to Florida Law

A. Proof/Affidavit of Publication

B. Mailed Notice(s)

These items were included for informational purposes.

C. Consideration of Resolution 2022-17, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2022/2023; Providing for the Collection and

Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date

Mr. Torres presented Resolution 2022-17.

On MOTION by Mr. O’Reilly and seconded by Mr. Odom, with all in favor, Resolution 2022-17, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2022/2023; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SEVENTH ORDER OF BUSINESS

Consideration of Fiscal Year 2022/2023 Funding Agreement

Mr. Torres presented the Fiscal Year 2023 Funding Agreement.

Residents voiced frustration that the Board adopted the Fiscal Year 2023 budget without taking their objections into consideration.

Discussion ensued regarding Supervisors complying with the Florida State Code of Ethics Statute, contacting County Commissioners and Congressman. An apology was made in that the Builders should have done a better job informing property owners that O&M costs will increase as each new improvement is built and to keep a certain level of service.

Residents were asked to email their vendor issues to Mr. Torres so they can be evaluated, as it will influence the Fiscal Year 2024 budget process, which commences in March.

On MOTION by Mr. Taylor and seconded by Mr. O’Reilly, with all in favor, the Fiscal Year 2022/2023 Funding Agreement, was approved.

EIGHTH ORDER OF BUSINESS

Public Hearing to Hear Public Comments and Objections to the Adoption of the Amenity Policies and Rates and Suspension and Termination of Privileges Rule

A. Affidavits of Publication

The affidavits of publication were included for informational purposes.

B. Consideration of Resolution 2022-18, Adopting Amenity Policies and Rates and Suspension and Termination of Privileges Rule; Providing a Severability Clause; and Providing an Effective Date

Mr. Torres and Mr. Haber reviewed the Amenity Rates and highlighted the Suspension and Termination of Privileges.

On MOTION by Mr. O'Reilly and seconded by Mr. Taylor, with all in favor, the Public Hearing was opened.

Mr. O'Reilly and Staff explained the following, in responses to resident questions:

- Builders are not charged when hosting events in the facility; it is common to showcase the facility to potential buyers. The Developer met with Builders to discuss issues.
- Mr. Taylor gave an overview of the research process to determine the hourly rates and stated that today is to set the standard but there is the opportunity to modify rate structures based on different needs.
- The fees are allocated in the General Fund.
- Residents will use the same digital VIZpin to access the facility and request additional ones if needed.
- Regarding people accessing the facility prior to closing on homes, Mr. O'Reilly will inform Mr. Molineaux that it is prohibited.
- Regarding the kitchen/storage fee, it was noted that the rental fee includes the cost to purchase the access card. The room is locked because of the items being stored for CDD events.

Resident comments and suggestions included changing the hourly rate, charging builders, removing the kitchen/storage area charge, limiting the number of events, keeping the cleaning fee for damages and displaying the formal rental event calendar on the bulletin board in addition to posting it on the website.

On MOTION by Mr. O'Reilly and seconded by Mr. Odom, with all in favor, the Public Hearing was closed.

Mr. O'Reilly preferred setting the room rate at \$50 per hour and holding another public hearing if considering a rate change in the future.

Mr. Torres presented Resolution 2022-18. The following changes were made to the Rate Schedule:

Amenity Rental-Fee for Social Room (AC Space): Change "\$150.00 per hour" to "\$50.00 per hour"

Kitchen/Storage Area: Delete line item, as access will be included in the rental.

On MOTION by Mr. O'Reilly and seconded by Ms. Bock, with Mr. O'Reilly, Ms. Bock and Mr. Odom in favor and Mr. Taylor dissenting, Resolution 2022-18, Adopting Amenity Policies and Rates and Suspension and Termination of Privileges Rule, as amended; Providing a Severability Clause; and Providing an Effective Date, was adopted. [Motion passed 3-1]

NINTH ORDER OF BUSINESS

Consideration of Turner Pest Control Proposal for the Amenity Center

Mr. Torres presented the Turner Pest Control Proposal. As this was the sole respondent, this will be reevaluated to obtain more bids later in the year.

On MOTION by Mr. O'Reilly and seconded by Mr. Taylor, with all in favor, the Turner Pest Control proposal to service the Amenity Center, was approved.

TENTH ORDER OF BUSINESS

Consideration of Southern Technologies of Jacksonville Proposal (to be provided under separate cover)

This item was deferred.

ELEVENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of July 31, 2022

Mr. Torres presented the Unaudited Financial Statements as of July 31, 2022.

On MOTION by Ms. Bock and seconded by Mr. O’Reilly, with all in favor, the Unaudited Financial Statements as of July 31, 2022, were accepted.

TWELFTH ORDER OF BUSINESS

Approval of July 21, 2022 Regular Meeting Minutes

Mr. Torres presented the July 21, 2022 Regular Meeting Minutes.

On MOTION by Ms. Bock and seconded by Mr. O’Reilly, with all in favor, the July 21, 2022 Regular Meeting Minutes, as presented, were approved.

THIRTEENTH ORDER OF BUSINESS

Staff Reports

A. District Counsel: *Kutak Rock LLP*

There was no report.

B. District Engineers: *Dominion Engineering Group, Inc. and ETM*

There were no reports.

C. Property Manager: *Castle Group*

Mr. Bill Cameron stated he was attending in Mr. Molineaux’s absence and will answer questions after the meeting.

D. Lifestyle Director: *Gina Maloney, Castle Group*

Ms. Maloney discussed vendors and activities scheduled for the Saturday event.

E. District Manager: *Wrathell, Hunt and Associates, LLC*

- **NEXT MEETING DATE: September 15, 2022 at 3:00 PM**
 - **QUORUM CHECK**

The next meeting will be held September 15, 2022.

FOURTEENTH ORDER OF BUSINESS

Board Members’ Comments/Requests

Mr. O’Reilly proposed moving the meeting location to a facility with more space. Residents expressed their preference for the current meeting location.

Discussion ensued regarding changing the meeting time to later in the day and tasking Castle Group tasked with developing a plan to view football and golf.

Mr. Taylor stated the electrician is repairing the pool light breaker to keep it from tripping and hopes it will be resolved by the end of the week; light timers are also being installed. Due to complaints about loud music, how to adjust the volume was explained.

FIFTEENTH ORDER OF BUSINESS

Public Comments

A resident asked if there is a way to access the gym earlier than the regularly scheduled opening. The Board agreed to change the gym opening time to 4:00 a.m.

Regarding sod, Mr. O'Reilly reiterated that he will investigate and evaluate the lake bank ponds and present options at the next meeting.

The Board responded to questions about builder events, fining builders for deficiencies, GreenPointe incurring the expense to install fences at the pool and playground area and the reason for lowering the Amenity rental rate.

A resident asked if there are plans for a second bus stop and asked for speed humps to be installed to address speeding. It was noted that the number of bus stops are determined by the Nassau County School District and they only acquiesced to install one within the CDD but might consider increasing it upon completion of the CDD. A cross walk will be installed in response to resident concerns.

A resident commented about lack of street sweeping. Mr. O'Reilly stated that Richmond and Dream Finders Homes are not street sweeping, only Lennar.

Mr. Parsons asked why residents are responsible for maintaining the pond bank and what they should do if an accident occurs on the property. It was noted that the CDD owns the first 13', which is a CDD right-of-way (ROW). Mr. Parsons must ask permission from the HOA to install St. Augustine grass.

Mr. Parsons requested additional lighting at the mail boxes and the end of White Rabbit Avenue. Mr. Taylor stated the Vice President of Development is researching to determine if they need to add lighting to the Florida Power & Light (FPL) lighting package; he will speak to her after the meeting about the sidewalk issue.

Ms. James asked what can be done about the muddy area and overgrown weeds and asked the Board to consider installing a turning lane at a certain entrance. Mr. O'Reilly stated since it is part of the conservation area, they are considering installing a raised boardwalk to connect the trail system without impeding drainage. The other request will be researched.

A resident asked when the athletic field and kayak launch will be completed. It was noted that the kayak launch is in the design process and expected to be bid next year, upon receipt of the permit. Mr. O'Reilly stated the Regional Park being conveyed to the County will open in October.

A resident asked who is the CDD's Registered Agent. Mr. Haber reviewed Florida Statute, Chapter 189 in which District Counsel or the District Manager is designated as the Registered Agent, via Resolution. He explained the responsibilities of a Registered Agent. The resident should contact the District Manager with questions about items discussed tonight and should review the CDD website.

A resident asked about the status of past requests, as the irrigation repairs have not been done. The Landscape and Irrigation representatives will attend future CDD meetings.

A resident asked for a crosswalk to the model homes to be installed.

A resident commented about Mr. Molineaux's response time. Ms. Maloney stated that, going forward, the events calendar will include events at least one month in advance of the event date, which will be e-blasted and posted on the website.

A resident asked about how much say residents have on items that impact the budget prior to approving the expense. The budget process and timeline were discussed.

SIXTEENTH ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned.

On MOTION by Ms. Bock and seconded by Mr. O'Reilly, with all in favor, the meeting adjourned at 6:15 p.m.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]


Secretary/Assistant Secretary


Chair/Vice Chair